

**Maine Revised Statutes**  
**Title 34-B: BEHAVIORAL AND DEVELOPMENTAL SERVICES**  
**Chapter 7: DUE PROCESS IN STERILIZATION ACT OF 1982**

**§7003. DEFINITIONS**

As used in this chapter, unless the context indicates otherwise, the following terms have the following meanings. [1983, c. 459, §7 (NEW).]

**1. Custodian.** "Custodian" means the person having care and custody over the individual seeking sterilization or the individual for whom sterilization is sought.

[ 1983, c. 459, §7 (NEW) . ]

**2. Disinterested expert.** "Disinterested expert" means an appropriately licensed or certified professional not associated with an institution serving the person for whom sterilization is being sought and not personally related to the petitioner.

[ 1983, c. 459, §7 (NEW) . ]

**3. Guardian.** "Guardian" means a person who has qualified as a guardian of a minor or incapacitated person pursuant to testamentary or court appointment, but excludes one who is merely a guardian ad litem.

[ 1983, c. 459, §7 (NEW) . ]

**4. Informed consent.** "Informed consent" means consent that is:

A. Based upon an actual understanding by the person to be sterilized of the nature of sterilization, its potentially permanent consequences, all alternative methods of contraception and all reasonably foreseeable risks and benefits of sterilization; and [1983, c. 459, §7 (NEW) . ]

B. Wholly voluntary and free from express or implied coercion. [1983, c. 459, §7 (NEW) . ]

[ 1983, c. 459, §7 (NEW) . ]

**5. Parent.** "Parent" means a natural or adoptive mother or father of a person.

[ 1983, c. 459, §7 (NEW) . ]

**6. Physician.** "Physician" means any person licensed to practice medicine under Title 32, chapter 48, subchapter II, or under Title 32, chapter 36, subchapters II and IV.

[ 1983, c. 459, §7 (NEW) . ]

**7. Psychiatrist.** "Psychiatrist" means a physician licensed to practice medicine under Title 32, chapter 48, subchapter II, who specializes in the diagnosis and treatment of mental disorders.

[ 1983, c. 459, §7 (NEW) . ]

**8. Psychologist.** "Psychologist" means any person licensed to practice psychology under Title 32, chapter 56, subchapter III.

[ 1983, c. 459, §7 (NEW) . ]

**9. Sterilization.** "Sterilization" means a medical or surgical procedure, the purpose of which is to render an individual permanently incapable of procreation. Sterilization does not refer to procedures which must be performed for distinct and urgent medical reasons and which have the unavoidable secondary effect of rendering the individual infertile.

[ 1983, c. 459, §7 (NEW) .]

#### SECTION HISTORY

1983, c. 459, §7 (NEW).

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